


FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony indicated that the subject property, known as 7100 Walnut Avenue, consists of 8,645 sq.ft., zoned D.R. 5.5 and is improved with a two-story single family dwelling. The Petitioner is desirous of adding a garage to the front (south side) of the dwelling, in accordance with Petitioner's Exhibit 1. However, due to the lot configuration and its location at the corner of an unimproved portion of Cedar Avenue, the requested variance is necessary. Mr. Moskunas testified that Baltimore County owns a 60-foot right-of-way along the south side of the Petitioner's property for proposed Cedar Avenue. He testified that the Petitioner attempted to purchase from Baltimore County that section of Cedar Avenue which runs alongside his property by way of requesting that this section

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the require-

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bis

- 3 -

District 2nd Date of Posting 7/11/83  
 Posted for: Lawrence  
 Position: Russell Moore  
 Location of property: WV's (7100) Walnut Str. 600' SE of Buf. on I-26  
 Location of Sign: Traveling, road W. on ex. property of golf course  
 Remarks:  
 Posted by: M. J. [Signature] Signature  
 Number of Signs: 1 Date of return: 7/11/83

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/4 1993

S. Zehe Obermair  
Publisher

\$70.44

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_  
unavailable for Hearing \_\_\_\_\_

the following date \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: JCM DATE 1-22-93

# 253

BEGINNING for the same at a point on the northwesterly side of Walnut Avenue (60 foot right of way) distance 940 feet ± southeasterly from the center line of Bedford Road (60 foot right of way) the line along the northwesterly side of said Walnut Avenue southeasterly 38 feet, thence southeasterly 145 feet, thence northerly 95 feet, thence easterly 130 feet to the PLACE of BEGINNING, containing 8,645 square feet more or less.

Being the tract or parcel of land recorded in Land Records of Baltimore County in Liber 9198, folio 736.

Malcolm E. Hudkins  
L. S. 5095

#253

**Case:** #18-282-A (Plan 282-A)  
**1983 Walnut Avenue, 940**  
 (+/-) SE of of Southern Road  
**7100 Walnut Avenue**  
 3rd Election District  
 2nd Councilmember  
**Petitioner(s):**  
 Russell Moore  
**Hearing:** Thursday,  
 March 4, 1993 at 9:00 a.m.  
 in Rm. 118, Old Courthouse.

**Verdict:** to permit a side yard setback of 12 feet in lieu of the required 25 feet.

ORDER RECEIVED FOR FILING  
Date 3/8/93  
By Bye

ORDER RECEIVED FOR FILING  
Date 3/8/93

ORDER RECEIVED FOR FILING  
Date 3/8/93

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

March 8, 1993

(410) 887-4386

Mr. Russell Moore  
2007 Guilford Avenue  
Baltimore, Maryland 21218

RE: PETITION FOR ZONING VARIANCE  
NW/S Walnut Avenue, 940' SE of the c/l of Bedford Road  
(7100 Walnut Avenue)  
3rd Election District - 2nd Councilmanic District  
Russell Moore - Petitioner  
Case No. 93-239-A

Dear Mr. Moore

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bj

cc: Mr. Vince Moskunas  
M & H Development Engineers, Inc.  
200 East Joppa Road, Room 101, Towson, Md. 21204

People's Counsel

~~File~~

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**

93-239-17

Towson, Maryland

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District: 22d Date of Posting: 7/13/93

Posted for: WALTER

Petitioner: Russell Moore

Location of property: NW 1/4 Sec 17, T12N, R12E

Location of Sign: Facing road way, ex. property of petitioner

Remarks: \_\_\_\_\_

Posted by: M. Moore Date of return: 7/13/93

Signature

Number of Signs: 1

93-239-A

COMPUTER DOWN

Waters, Gerald  
Selling Administration &  
Development Management  
10000 New Lincoln Avenue  
Beltsville, Maryland 21054  
Tel: 301-341-1000

Account: R-001-4189  
Number: 6

7100 WALNUT AVE.  
202C  
RUSSELL MOORE  
377 8848  
3ED  
2MB

RESIDENTIAL VAP. 50

DA0480062MICHRIC  
SH C00719PAH01-22

Please Make Checks Payable To: Baltimore County

Cashier Validation

**Baltimore County**  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: 8-001-4180

**receipt**

Date: 1/25/93

H9300253

PUBLIC HEARING FEES

QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X \$50.00
TOTAL:	\$50.00

LAST NAME OF OWNER: MOORE

Please Make Checks Payable To: Baltimore County

**Baltimore County**  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: 8-001-4180

**receipt**

Date: 1/25/93

H9300253

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**Baltimore County Government**  
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

DATE: 2/18/93

Russell Moore  
2007 Guilford Avenue  
Baltimore, Maryland 21218

RE: CASE NUMBER: 93-239-A (Item 253)  
111 W. Chesapeake Avenue, 940' (v/v) SE of c/l Bedford Road  
7100 Walnut Avenue  
3rd Election District - 2nd Councilmanic  
Petitioner(s): Russell Moore  
HEARING: THURSDAY, MARCH 4, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 70.44 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

*Arnold Jablon*  
DIRECTOR

**Baltimore County Government**  
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

JANUARY 27, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-239-A (Item 253)  
111 W. Chesapeake Avenue, 940' (v/v) SE of c/l Bedford Road  
7100 Walnut Avenue  
3rd Election District - 2nd Councilmanic  
Petitioner(s): Russell Moore  
HEARING: THURSDAY, MARCH 4, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet.

*Arnold Jablon*  
DIRECTOR

cc: Russell Moore  
Vice President

NOTES: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

**Baltimore County Government**  
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

February 22, 1993 (410) 887-3353

Mr. Russell Moore  
2007 Guilford Avenue  
Baltimore, MD 21218

RE: Case No. 93-239-A, Item No. 253  
Petitioner: Russell Moore  
Petition for Variance

Dear Mr. Moore:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 22, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

**Baltimore County Government**  
Engineering Division (Public Services)  
Development Review Committee Response Form

02/04/93

Authorized signature: *Arnold Jablon* Date: 2/8/93

Project Name: G & R No. 3, Inc.

File Number: 233

Meeting Date: 1-25-93

COUNT 1

✓ Douglas E. and Mary A. Strickland 247 2-1-93 NC

✓ Donald R. and Margaret E. Grempler 248 NC

✓ Catonsville Historical Society 249 Comment

✓ Albert J. and Barbara A. Swartz 250 Comment

✓ Rolling Wind Associates Limited Partnership 252 NC

✓ Russell Moore NC

COUNT 6

Stonegate at Patapsco (Azeal Property) 6-1-92

90476 ZON DED TE (Waiting for developer to submit plans first)

COUNT 1

FINAL TOTALS

COUNT 8

\*\*\* END OF REPORT \*\*\*

**Maryland Department of Transportation**  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

1-26-93

Re: Baltimore County  
Item No: 253 (JCM)

Ms. Julie Winiarski  
Zoning Administration and Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
*Bob Small*  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 885-0451 D.C. Metro - 1-800-482-5882 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

**Baltimore County Government**  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

FEBRUARY 3, 1993 (410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: RUSSELL MOORE  
Location: #7100 WALNUT AVENUE  
Item No.: 253 (JCM) Zoning Agenda: FEBRUARY 3, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Dwyer*  
Planning Group  
Special Inspection Division

JP/REK

Rec'd 2/4/93

**Baltimore County Government**  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

FEBRUARY 3, 1993 (410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: RUSSELL MOORE  
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JP/REK

Rec'd 2/4/93



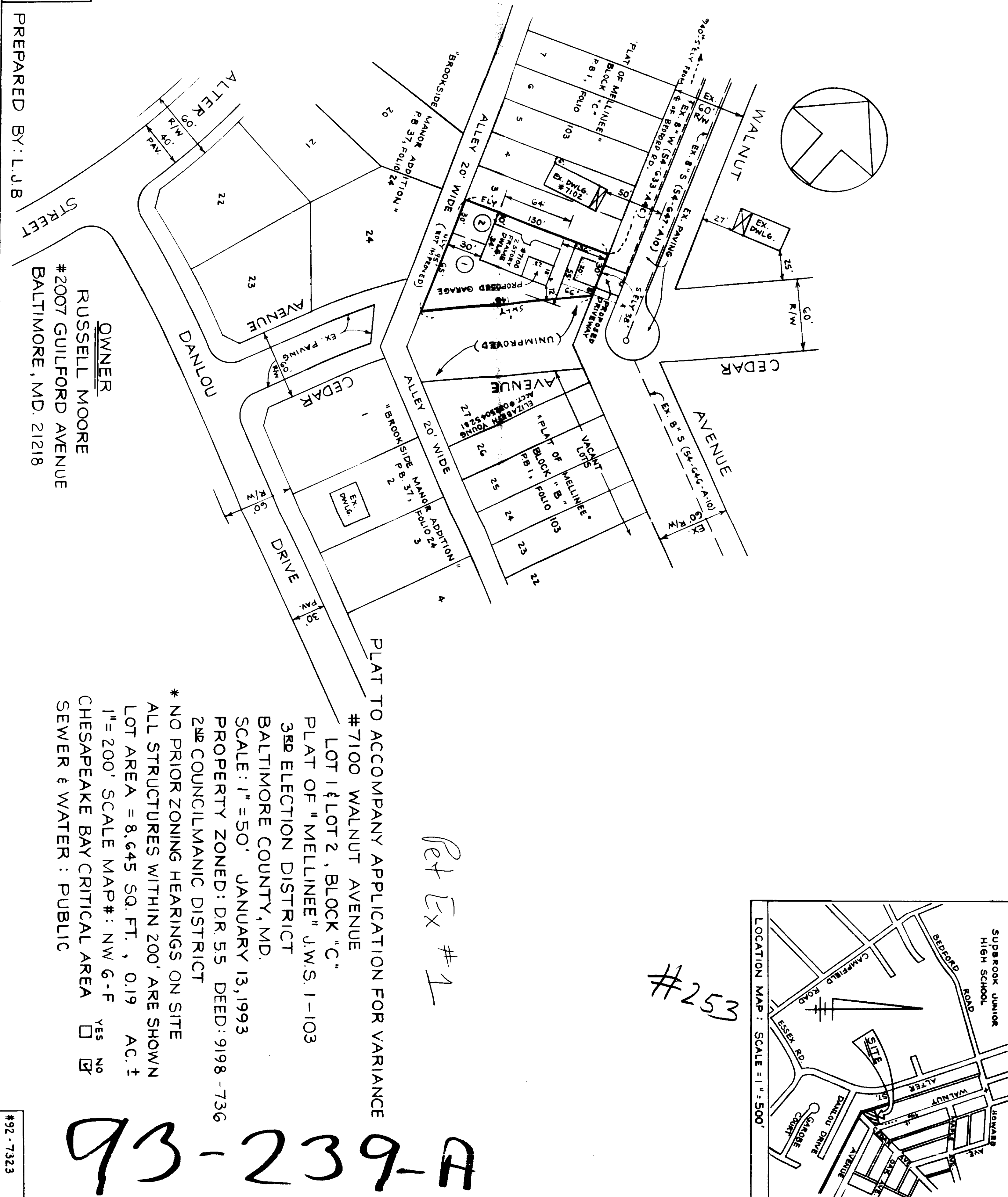
PREPARED BY: LJB

OWNER  
RUSSELL MOORE  
#2007 GULFORD AVENUE  
BALTIMORE, MD. 21218

PLAT TO ACCOMPANY APPLICATION FOR VARIANCE  
#7100 WALNUT AVENUE  
LOT 1 & LOT 2, BLOCK "C"  
PLAT OF "MELLINE" J.W.S. 1-103  
3RD ELECTION DISTRICT  
BALTIMORE COUNTY, MD.  
SCALE: 1" = 50' JANUARY 13, 1993  
PROPERTY ZONED: DR. 5.5 DEED: 9198-736  
2ND COUNCILMANIC DISTRICT  
\* NO PRIOR ZONING HEARINGS ON SITE  
ALL STRUCTURES WITHIN 200' ARE SHOWN  
LOT AREA = 8,645 SQ. FT., 0.19 AC. ±  
1" = 200' SCALE MAP#: NW 6-F  
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO  
SEWER & WATER: PUBLIC

93-239-A

#92-7323



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME  
VINCENT J. MOSEKAS

ADDRESS  
200 E. Joppa Rd. Towson, MD. 21206

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

January 7, 1993

TO: Donald T. Rascoe, Esquire  
Assistant County Attorney  
FROM: P. David Fields, Director  
Office of Planning & Zoning  
SUBJECT: Road Closing - Portion of Cedar Avenue

The Office of Planning and Zoning has reviewed the material submitted in association with the proposed road closing identified above, and opposes the requested closing.

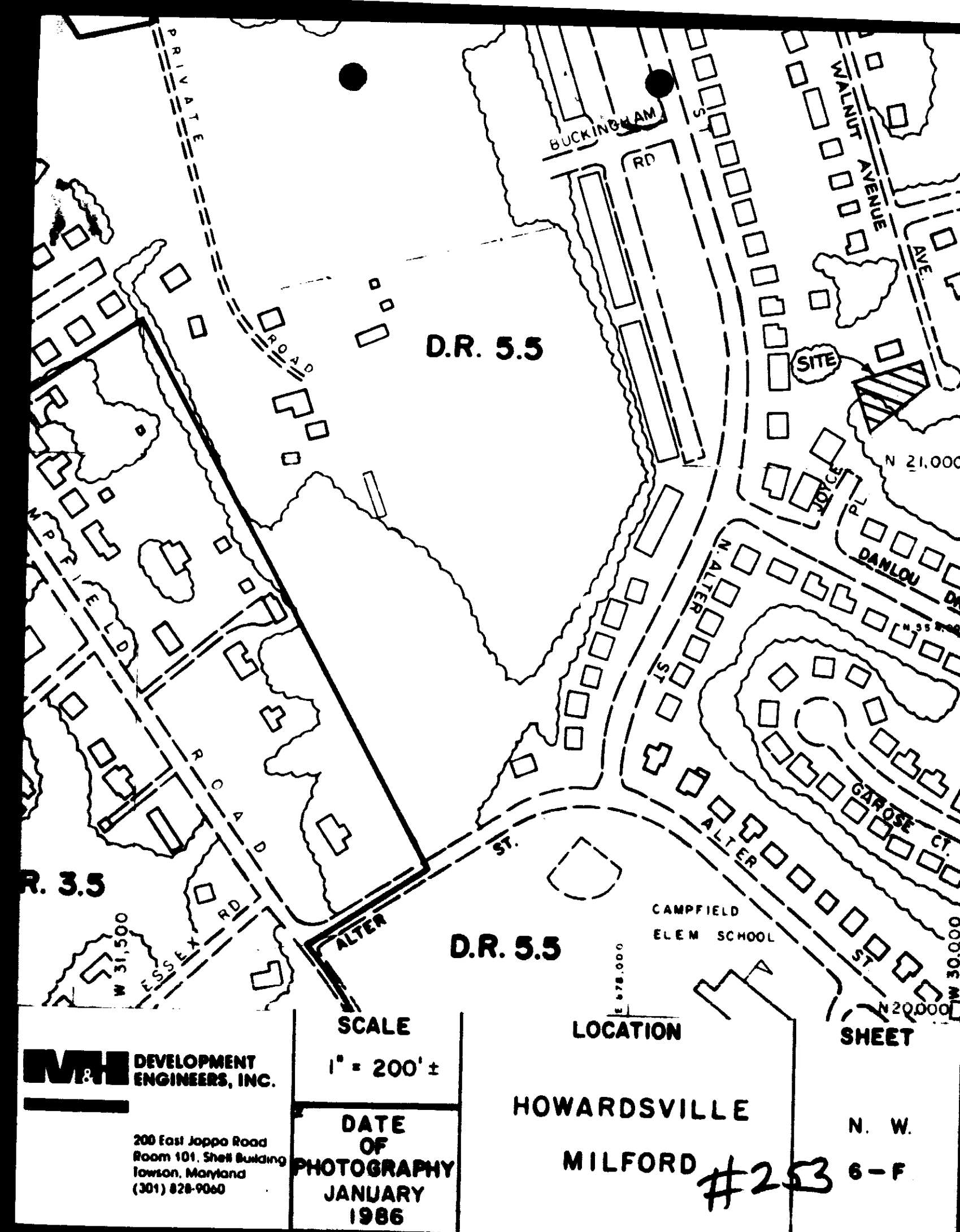
As is shown on the plat accompanying the Petition, Walnut Avenue in the "Melline" subdivision is constructed with a cul de sac turnaround at the location of the platted Cedar Avenue intersection; the southeastern portion of the subdivision has not yet been developed. In the adjoining "Brookside Manor" subdivision, however, the connecting portion of what would be Cedar Avenue (but having a Joyce Place street name sign) has already been constructed northward from Danlou Drive apparently to the location of the platted alley lying between the two subdivisions.

The Planning Board's Comprehensive Manual of Design Policies (as approved by the County Council) urges the avoidance of creating dead end streets and favors continuity and connectivity in the networks of local streets. Whether or not there is an immediate need to construct the portion of Cedar Avenue which is the subject of this Petition, OPZ's opinion is that the opportunity to complete the connection and to eliminate the dead end on Walnut Avenue should not be foreclosed, especially since the southern part of Cedar Avenue (Joyce Place) has already been built. We request that the Petition be denied.

PDF/TD/mjm  
RD/CLOS/EXTIUN  
cc: Craig Forrest  
Gray Rouns

P. David Fields

Pet Ex #2



DEVELOPMENT  
ENGINEERS, INC.

200 East Joppa Road  
Room 101, Shel Building  
Towson, Maryland  
(301) 223-7323

SCALE  
1" = 200'±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
HOWARDSVILLE  
MILFORD #253

SHEET  
N. W.  
6-F

SCALE  
1" = 200'±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
HOWARDSVILLE  
MILFORD #253

SHEET

N.W.  
6-F

93-239-A